

CITY OF COLUMBUS

APPLICATION FOR BUILDING MOVING

A PERMIT IS HEREBY REQUESTED TO MOVE THE FOLLOWING BUILDING OR STRUCTURE OUT OF, WITHIN OR THROUGH THE CITY OF COLUMBUS, IN ACCORDANCE WITH TITLE V, CHAPTER 9 OF THE COLUMBUS CITY CODE. ANY CHANGES FROM THE APPROVED MOVING DATE AND TIME MUST BE SUBMITTED IN WRITING TO THE BUILDING OFFICIAL.

BUILDING MOVER AND EQUIPMENT

NAME _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____
TELEPHONE _____
LICENSED: _____ YES _____ NO INSURED: _____ YES _____ NO
(Per Section 5-9-5 of Columbus City Code)
TYPE OF EQUIPMENT TO BE USED IN MOVING: _____

Please attach a certificate from the County Treasurer showing that all taxes and special assessments then due against the building and lot on which the building stands have been paid.

BUILDING TO BE MOVED

DESCRIPTION OF THE BUILDING: _____
CURRENT ADDRESS OF BUILDING: _____
LEGAL DESCRIPTION: LOT NO. _____ BLOCK NO. _____ ADDITION/SUBDIVISION _____
FLOOR AREA (Sq. Feet): _____

A photograph of the building is required.

LOCATION TO BE MOVED TO

ADDRESS: _____
LEGAL DESCRIPTION: LOT NO. _____ BLOCK NO. _____ ADDITION/SUBDIVISION _____
LOT SIZE: _____ x _____ = _____ SQUARE FEET
NUMBER OF STORIES WHEN COMPLETED: _____
PROPOSED USE OF THE BUILDING AT THE NEW SITE: _____

BUILDING OWNER

NAME _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____
TELEPHONE _____
CERTIFICATE OF INSURANCE: _____ YES _____ NO

MOVING DATE

DATE: _____ TIME WHICH THE BUILDING WILL BE MOVED: _____

LENGTH OF TIME REQUIRED FOR MOVING: _____

ROUTE (Attach map): _____

HEIGHT & WIDTH

HEIGHT (When Loaded): _____ FEET _____ INCHES

Should the building in its height exceed 18 feet, a request to allow the same shall be submitted along with the application for moving permit setting forth the height of the loaded building. The notices required under Section 5-9-9 shall include the proposed request to exceed the height limitation and shall set forth the loaded height of the building to be moved. After public hearings before each such body, the Planning Commission and City Council shall take such action as set forth in Section 5-9-8. The Planning Commission and the Mayor and City Council shall take into consideration those factors set forth in Sections 5-9-14 and 5-9-15 of the Building Moving Ordinance.

WIDTH (Including any overhang or extension): _____ FEET _____ INCHES

The maximum width is the narrowest street or road width on the designated route. The street or road width shall be defined as the maintained surface.

In addition, the following documents must accompany this application:

- _____ 1. A signed statement from electric, telephone and cable companies and also from any railroad, telegraph or other utility company that has lines crossing the proposed route that said move meets with their approval. If said move will interfere with said utility company, the signed statement must contain the nature and duration of the interference, the portions of the City to be affected and whether said utility company has approved the move.
- _____ 2. Certification from the Police Chief or designee that he or his designee has reviewed the date, time, and route along with any recommendations for the move.
- _____ 3. Verification that the Building Official has inspected the building to determine the feasibility of moving it and compliance with the Building Moving and Building Code once relocated, and that following such inspection he has approved the building for the move subject to a list of what, if any, changes, alterations or corrections need to be made to the building once relocated. The building permit obtained for said relocated building shall require said list of changes, alterations or corrections to be complied with.
- _____ 4. Verification that the Building Official has ascertained that the size, condition, proposed use and proposed construction alternations are in accordance with the Zoning Regulations of the City.
- _____ 5. Verification that a building permit has been applied for and approved for the relocated building.
- _____ 6. Proof that the insurance required under the Building Moving Code has been obtained.

- _____ 7. A signed statement from a tree service insured and registered with the City of Columbus as provide in Section 9-2-2(J) of the Columbus City Code stating that any needed trimming of trees or shrubbery will not damage or otherwise disturb said trees or shrubbery.

The application shall be submitted to the City Clerk along with the required fee at least 21 calendar days before the Planning Commission meeting at which the application will be considered. The City Clerk shall then schedule the application for public hearing before the Planning Commission and before the City Council. The Building Official will report on the application for a moving permit to the Planning Commission, which shall investigate the matter. The Planning Commission, following ten days notice as required by the Notice provisions set forth in Section 5-9-9 of Columbus City Code, shall hold a public hearing and following such public hearing, shall recommend to the City Council the granting or denial of the permit. The City Council, after the ten day notice and publication requirements of Section 5-9-9 of Columbus City Code have been complied with, shall hold a public hearing thereon, and following such public hearing shall grant or deny the permit.

NOTIFICATIONS AS REQUIRED

NOTIFICATION ACKNOWLEDGED BY:	DATE
TELEPHONE: _____	_____
ELECTRICAL: _____	_____
CABLE TV: _____	_____
NATURAL GAS: _____	_____
POLICE DEPARTMENT: _____	_____
STREET DEPARTMENT: _____	_____
FIRE DEPARTMENT: _____	_____
COUNTY HIGHWAY DEPARTMENT IF APPLICABLE: _____	_____
RAILROAD OR OTHER UTILITY THAT HAS LINES CROSSING THE PROPOSED ROUTE: _____	_____

REQUIRED HEARING NOTICE AND PUBLICATION

Prior to consideration of a building moving application by the Planning Commission and by the City Council, notice of public hearing before the Planning Commission and before the City Council shall be provided as follows:

1. Posted Notice: Notices shall be posted in a conspicuous place on or near the property to which said house or building is to be moved (unless it is being moved outside the City) and on or near the building to be moved at least ten (10) days prior to the date of such public hearing. Each notice shall not be less than eighteen inches (18") in height and twenty-four inches (24") in width, with black letters of not less than one and one-half inches (1½") in height on yellow or white background. Such posted notice shall be so placed upon such premises that it is easily visible from the street nearest the same. It shall be the duty of the applicant to make sure the signs are laminated or otherwise protected from the weather so that they remain visible and legible for said ten-day period. It shall be unlawful for anyone to remove, mutilate, destroy, or change such posted notice prior to such hearing. It shall be the responsibility of the applicant to make sure the signs remain posted for the ten-day period of time and in the event any sign is removed, mutilated, destroyed or changed, it shall be the duty of the applicant to promptly post a new sign for the remainder of the ten-day period.

2. Notice by Publication: At least ten days before the date of the hearing the City Clerk, at the expense of the applicant, shall have published in a daily newspaper having a general circulation in the City of Columbus a notice of the time, place and subject matter of such hearing. Said notice shall also contain the designated moving route.

3. Notice by Personal Service or Mail: The applicant for such moving permit shall either personally serve or mail to the owners of all real estate within 300 feet of the real estate onto which the building is to be moved a written notice of the requested moving permit, setting forth the legal description and address of the location of the property onto which the building is to be moved, along with the date, time and place of such hearing at least ten days prior to the date of such hearing.

4. Affidavit of Compliance: The applicant shall be responsible for filing with the City Clerk on the date of the hearing an Affidavit of Hearing Notice Compliance. Said Affidavit shall verify that all notice requirements of this section have been complied with. Said Affidavit shall be submitted on a form approved by the City Clerk's Office.

NOTICE ALONG MOVING ROUTE

Prior to the actual move of a building, the applicant for such moving permit shall provide notice to all property owners or occupants along the moving route. Said notice shall be personally delivered to each property owner or occupant or left at their place of business or residence along the route at least twenty-four (24) hours, but not more than seventy-two (72) hours, before the move takes place. The notice to said business or residence shall provide that electrical power may be affected by the building move. The notice shall contain the name, address and telephone number of the following: the building owner, the building mover, and the electrical power company involved. The notice shall also set forth the date of the move and a time frame within which the move is to take place.

The applicant shall be responsible for filing with the City Clerk an Affidavit of Moving Notice Compliance. Said Affidavit shall be filed before the move commences and shall verify that the notice requirement of this section has been complied with. Said Affidavit shall be submitted on a form approved by the City Clerk's Office.

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS CORRECT AND THAT I AGREE TO ABIDE BY ANY AND ALL PROVISIONS MADE BY AUTHORIZED CITY OFFICIALS OR BOARDS OR ORDINANCES OF THE CITY OF COLUMBUS, UPON WHICH THIS APPLICATION IS BASED.

DATE _____	_____
	OWNER OF BUILDING
FEES _____	_____
RECEIPT NO. _____	BUILDING MOVER

BUILDING INSPECTION

BUILDING INSPECTED BY: _____

CONDITION SATISFACTORY FOR MOVING: YES _____ NO _____

	BUILDING INSPECTOR		
PLANNING COMMISSION	APPROVED _____	DENIED _____	DATE _____
CITY COUNCIL	APPROVED _____	DENIED _____	DATE _____
PERMIT NO.	ISSUED _____		
WORK COMPLETED DATE:	_____		



City of Columbus

Community Development

Phone: 402-562-4236 Fax: 402-562-4265

www.columbusne.us

DATE: April 17, 2023

FROM: Andy Woehrler, Chief Building & Code Official

TO: Building Mover Applicants

RE: Check List Reminder

Planning Commission Reminders:

1. Applications for building moving must be filed at least 21 days prior to the Planning Commission meeting. The Planning Commission generally meets the 2nd Monday of each month.
2. Post Signs 10 days prior to the Planning Commission meeting. Signs are available at the Community Development office. (See City Code section 114.12 (A) attached)
3. Notify the owners within 300' of where the building is proposed to be moved at least 10 days prior to the meeting. (See City Code section 114.12 (C) attached)
4. Return the Affidavit of compliance along with the owners notified within 300' to the City Clerk's office no later than 5pm the Monday of the Planning Commission meeting. (Affidavit is marked Planning Commission Public Hearing. (See City Code 114.12 (D) attached)

City Council Reminders

1. The City Council generally meets the 3rd Monday of the month following the Planning Commission meeting.
2. Post signs no later than 10 days prior to the City Council hearing. Signs are available at the Community Development office. (See City Code section 114.12 (A) attached)
3. Notify owners within 300' of where the building is to be moved at least 10 days prior to the meeting. (See City Code section 114.12 (C) attached)
4. Return the Affidavit of compliance along with the owners notified within 300' to the City Clerk's office no later than 5pm the Monday of the City Council meeting. (Affidavit is marked City Council Public Hearing. (See City Code section 114.12 (D) attached)



City of Columbus

Community Development

Phone: 402-562-4236 Fax: 402-562-4265

www.columbusne.us

Notice Along Moving Route and Affidavit Requirement:

- A. Prior to the actual move of a building the applicant shall provide "Notice" of the move by publication in a daily newspaper having a general circulation in the City at least seven(7) days prior to the actual move. The notice shall contain the information listed in Section 114.10 of the City code. (See attached)
- B. The applicant shall be responsible for filing the Affidavit of Publication before the move commences.

Andy Woehrer
Chief Building & Code Official

PLANNING COMMISSION PUBLIC HEARING

AFFIDAVIT OF HEARING NOTICE COMPLIANCE
BUILDING MOVING

STATE OF NEBRASKA)
)SS.
COUNTY OF PLATTE

_____, the undersigned affiant, being first duly sworn on oath, deposes and states as follows:

1. That the undersigned affiant is either the building owner or building mover who has made application for a building moving permit for the building:

_____ [insert building description]

located at _____ [insert address and legal description]

to be moved to _____ [insert address and legal description]

2. That the undersigned affiant caused the same information set forth in paragraph 3 above to be posted a notice in a conspicuous place on or near the above-described property or both such properties, if both are within the City of Columbus or its two-mile jurisdiction. Such notice was not less than 18 inches in height and 24 inches in width and had a white or yellow background and black letters not less than 1 ½ inches in height. The undersigned affiant caused said posted notice to be so placed upon said premises so that it was easily visible from the nearest street and was posted at least ten days before the Planning Commission Hearing. The undersigned affiant caused said sign to be laminated or otherwise protected from the weather and the sign remained visible and legible for said ten-day period. Said notice was posted on the _____ day of _____, 20____ and remained posted until the date of this Affidavit which is also the date of the scheduled hearing.

3. The notice which was posted as above set forth read as follows:

"NOTICE OF PUBLIC HEARING TO MOVE BUILDING"

_____ [insert description of building]

to be moved from _____ [insert address and legal description]

To _____ [insert address and legal description]

to be held in the Community Building, Community Room, 2500 14th Street, Columbus, Nebraska on the _____ day of _____, 20____ at 6:00 p.m.

4. The undersigned affiant caused to be served upon the owners of all real estate within 300 feet of the real estate on to which the building is to be moved with written notice of such hearing by either personally serving them with such notice at least ten days prior to the date of the Planning Commission Hearing or by mailing said notice to them to their last known address at least ten days prior to such hearing. A list of the owners notified and their addresses appear on Exhibit "A", attached hereto. Said list comprises all of the owners of real estate within 300 feet of the real estate on to which the building is to be moved. A copy of the Notice served upon or sent to said owners is attached hereto, marked Exhibit "B".

DATED: _____

FURTHER, YOUR AFFIANT SAITH NOT.

Affiant

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public

[illegible]

I. That the undersigned affiant is either the building owner or building mover who has made application for a building moving permit for the building:

to be moved to _____
[insert address and legal description]

3. The notice which was posted as above set forth read as follows:

[Insert description of building] _____
to be moved from _____
[insert address and legal description]

to be held in the Community Building, Community Room, 2500 14th Street, Columbus,
Nebraska on the _____ day of _____, 20____, at 6:00 p.m.

FURTHER, YOUR AFFIANT SAITH NOT.

Notary Public

AFFIDAVIT OF MOVING PUBLICATION NOTICE COMPLIANCE
BUILDING MOVING

STATE OF NEBRASKA)
) ss.
COUNTY OF PLATTE)

_____, the undersigned affiant, being first duly sworn on oath, deposes and states as follows:

1. That the undersigned affiant is the applicant for the moving permit which was granted for the following building:

[insert building description]

located at

[insert address and legal description]

to be moved to

[insert address and legal description]

2. That the undersigned affiant provided publication of the moving route.
3. The Notice which was provided read as follows: (Attach copy of notice)

PUBLICATION OF THE MOVING ROUTE

NOTICE OF MOVING ROUTE

(A) Prior to the actual move of a building, the applicant for such moving permit shall provide Notice of the Move by publication in a daily newspaper having a general circulation on the City in a form as provided for in the Permit Application. The Notice shall be published at least seven (7) days before the scheduled move and shall contain the designated moving route and include notification that electrical power to the businesses or residences along the moving route may be affected by the move. The notice shall contain the name, address and telephone number of the following: the building owner, the building mover, and the utility companies. The notice shall also set forth the date of the move, an alternate date for such move, and a time frame within which the move is to take place.

FURTHER, YOUR AFFIANT SAITH NOT.

Affiant

Subscribed and sworn to before me this ____ day of _____, 20____

Notary Public

THIS FORM IS REQUIRED TO BE COMPLETED, EXECUTED AND FILED WITH THE CITY CLERK'S OFFICE BEFORE THE BUILDING MOVE COMMENCES.

ORDINANCE NO. 17-03

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA, AMENDING CHAPTER 114, BUILDING MOVING, OF TITLE XI OF ORDINANCE NO. 05-47 (COLUMBUS CITY CODE) BY REVISING AND AMENDING SECTIONS 114.01 TO 114.25; MAKING GRAMMATICAL CHANGES; CHANGING THE MOVING PERMIT APPLICATION REQUIREMENTS; CHANGING THE CERTIFICATE OF INSURANCE REQUIREMENTS; DELETING SECTION 114.26 – WAIVER OF PERMIT FOR SCHOOL DISTRICT NO. 1 AND TRANSFERRING SECTION 114.27 - VACANT BUILDINGS TO TITLE XV, CHAPTER 150 THEREBY CREATING SECTION 150.201; REPEALING ALL ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF COLUMBUS, NEBRASKA to revise and amend Sections 114.01 to 114.27 as follows:

Section 1. That Chapter 114 of Title XI of Ordinance No. 05-47 (Columbus City Code), Sections 114.01 to 114.25 are hereby amended to read as follows:

114.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BUILDING. A structure used or intended for supporting or sheltering any use or occupancy, but does not include buildings under 120 square feet, trailers and single wide mobile homes.

BUILDING MOVER. A person who engages in the business or in the act of moving a building or buildings from one location to another.

114.02 ACT PROHIBITED.

It shall be unlawful for any person to move or allow to be moved any building into, out of, within, or through the City without first securing a permit from the City, or to engage in the business of moving buildings out of, into, within, or through the City unless being issued a license by the City.

114.03 JURISDICTION.

The provisions of this chapter shall be applicable within the corporate limits of the City and its two- mile extraterritorial jurisdiction as provided by Neb. RS Ch. 14.

114.04 LICENSE REQUIRED.

Any person, before engaging in the business or occupation of building moving, shall obtain a license as provided in this chapter. The license fee shall be set by resolution. All such annual licenses shall be for a period of one year commencing May 1 of each year and expiring April 30 of the next succeeding year. Before being granted a license, the building mover shall obtain and furnish the City Clerk's office with proof of insurance reflecting compliance with §114.05. Upon the license fee being paid to the City Clerk, and upon providing proof of insurance as required herein, it shall be the duty of the City Clerk to issue such license.

114.05 INSURANCE REQUIRED.

Before being granted a moving license, the building mover shall place on file with the City Clerk's office proof of insurance as required by divisions (A) and (B) of this section.

(A) The insurance shall be public liability with the amount as set by resolution and the City as an additional named insured. The insurance policy shall fully protect the City for damages sustained to persons or property, resulting from the moving of any building or parts thereof within the City and shall indemnify and save the City harmless from any and all suits, judgments, exactions, executions and liabilities as to personal injuries or property damage in connection with, or related to or growing out of any building move.

(B) Every insurance policy or certificate of insurance contemplated by this chapter shall have attached thereto and made a part thereof an endorsement in approximately the following language:

Public Liability and Property Damage Endorsement - Building Mover

It is understood and agreed by and between the parties that the classifications of operations as set forth in the policy to which this endorsement is attached shall be construed to include and cover all the operations of the assured in any manner or nature whatsoever incident to or connected with the raising, moving, lowering, blocking or supporting of any building or structure and that the undersigned insurance company shall (to an extent not exceeding the amount of the indemnity or coverage provided for in the policy to which this endorsement is attached) defend, save, keep harmless and indemnify the assured and the City, a municipal corporation of the State, and its agents, from all liability, claims, damages, judgments, costs and expenses of every nature and description caused by or growing out of the raising, moving, lowering, blocking or supporting of any building or structure within the City or its jurisdiction; the placing of any obstruction, barricade, material, equipment, or apparatus of any nature in any street, highway, alley or thoroughfare, including the sidewalk space, as an incident to or in connection with the raising, moving, lowering, blocking or supporting of any building or structure; and any and all negligence on the part of the assured in raising, moving, lowering, blocking or supporting of any building or structure in the City or its jurisdiction which results in damage to the person or property of the City or of any person, firm or corporation.

The insurance company shall have the right to cancel this endorsement for future liability upon 60 days written notice to the City.

This endorsement is hereby made a part of Policy No. _____ of _____ countersigned at _____ this _____ day of _____, 20____.

Authorized Representative: _____

114.06 CANCELLATION OR TERMINATION OF INSURANCE.

Whenever any insurance policy required by the provisions of § 114.05 is canceled or terminated for any reason, the general license of the building mover shall terminate unless the building mover shall immediately furnish a new policy in compliance with § 114.05. In such a situation, the building mover shall surrender the building mover's license and shall cease the conduct of the business until a new insurance policy is furnished as required by this chapter.

114.07 LICENSE SUSPENSION OR REVOCATION.

A license issued under the provisions of § 114.04 can be suspended or revoked by the City if in its opinion the licensee has demonstrated, through multiple violations, that the licensee is not capable or willing to comply with the requirements of this chapter. The length of suspension shall be based on the severity and frequency of documented violations.

114.08 PERMIT REQUIRED.

(A) Before moving any building out of, into, within, or through the City, except wholly upon private property, a permit shall be obtained by the building mover and owner of the building, by making application upon a form furnished by the Building Department for filing with the City Clerk. The application shall be signed by the building mover and owner of the building and include the following information:

- (1) A description of the building and the address and legal description of its current location;

(2) The location of the lot to which the building is to be moved including its address and legal description;

(3) A detailed description or map of the proposed route over which the building is to be moved;

(4) The date and approximate time that the building will be moved, along with the length of time required for moving;

(5) Owner of the building;

(6) A certificate from the County Treasurer showing that all taxes and special assessments then due against the building and lot on which it stands have been paid;

(7) How and by whom the building is to be moved;

(8) Use of building at new site;

(9) A photograph of the building;

(10) Such additional information as may be requested by the City; and

(11) Request to exceed height limitation, if applicable.

(B) In addition, the following documents must accompany the application:

(1) A signed statement from all utility companies and also from any railroad or other utility company that has lines crossing the proposed route acknowledging that they have been notified of the move and that the move meets with their approval. If the move will interfere with the utility company, the signed statement must contain the nature and duration of the interference and the portions of the City to be affected.

(2) Certification from the Police Chief or designee that the Chief or designee has reviewed the date, time, and route along with any recommendations for the move;

(3) Verification that the Building Official has inspected the building to determine the feasibility of moving it and compliance with this chapter and the Building Code once relocated, and that following such inspection the Building Official has approved the building for the move subject to a list of what, if any, changes, alterations or corrections need to be made to the building once relocated. The building permit obtained for the relocated building shall require the list of changes, alterations or corrections to be complied with;

(4) Verification that the Building Official has ascertained that the size, condition, proposed use and proposed construction alterations are in accordance with the zoning regulations of the City;

(5) Verification that a building permit has been applied for and approved for the relocated building;

(6) Proof that the insurance required under this chapter has been obtained; and

(7) A signed statement from a tree service insured and registered with the City as provided in § 96.11 stating that any needed trimming of trees or shrubbery will not damage or otherwise disturb the trees or shrubbery and, if applicable, the signed consent required by § 114.19.

(C) The application shall be submitted to the City Clerk along with the required fee at least 21 calendar days before the Planning Commission meeting at which the application will be considered. The City Clerk shall then schedule the application for public hearings before the Planning Commission and City Council. The Building Official will report on the application for a moving permit to the Planning Commission, which shall investigate the matter. The Planning Commission, after the ten days notice and publication requirements of § 114.12, have been complied with, shall hold a public hearing and following the public hearing, shall make a recommendation to the City Council that the permit be granted or denied. The City Council, after the ten day notice and publication requirements of § 114.12 have been complied with, shall hold a public hearing, and following such public hearing shall grant or deny the permit.

114.09 PERMIT FEE REQUIRED.

Each application for a moving permit shall be accompanied by a fee as set by resolution.

114.10 NOTICE ALONG MOVING ROUTE.

(A) Prior to the actual move of a building, the applicant for such moving permit shall provide Notice of the Move by publication in a daily newspaper having a general circulation in the City in a form as provided for in the Permit Application. The Notice shall be published at least seven (7) days before the scheduled move and shall contain the designated moving route and include notification that electrical power to the businesses or residences along the moving route may be affected by the move. The notice shall contain the name, address and telephone number of the following: the building owner, the building mover, and the utility companies. The notice shall also set forth the date of the move, an alternate date for such move, and a time frame within which the move is to take place.

(B) The applicant shall be responsible for filing an Affidavit of Publication provided by the Columbus Telegram with the City Clerk. The affidavit shall be filed before the move commences and shall verify that the notice requirement of this section has been complied with.

114.11 WAIVER OF NOTICE AND PUBLICATION.

In the event the building to be moved is a structure of less than 600 square feet and not to be used for human occupancy, the City Council may in its discretion waive the notice requirements of this chapter and the requirement for public hearings and grant or deny the application. If such waiver is granted, all other provisions of this chapter shall remain applicable to the applicant.

114.12 REQUIRED HEARING NOTICE AND PUBLICATION.

Prior to consideration of a building moving application by the Planning Commission and City Council, notice of public hearings before the Planning Commission and City Council shall be provided as follows:

(A) *Posted notice.* Notices shall be posted in a conspicuous place on or near the property to which the house or building is to be moved to (unless it is being moved outside the City) and on or near the building to be moved at least ten days prior to the dates of such public hearings. Each notice shall not be less than 18 inches in height and 24 inches in width, with black letters of not less than one and one-half inches in height on yellow or white background. Such posted notice shall be so placed upon such premises that it is easily visible from the street nearest the same. It shall be the duty of the applicant to make sure the signs are laminated or otherwise protected from the weather so that they remain visible and legible for the ten-day period. It shall be unlawful for anyone to remove, mutilate, destroy, or change such posted notice prior to such hearing. It shall be the responsibility of the applicant to make sure the signs remain posted for the ten-day period of time and in the event any sign is removed, mutilated, destroyed or changed, it shall be the duty of the applicant to promptly post a new sign for the remainder of the ten-day period.

(B) *Notice by publication.* At least ten days before the date of the hearing, the City Clerk, at the expense of the applicant, shall have published in a daily newspaper having a general circulation in the City a notice of the time, place and subject matter of such hearing. The notice shall also contain the designated moving route.

(C) *Notice by personal service or mail.* The applicant for such moving permit shall either personally serve or mail to the owners of all real estate within 300 feet of the real estate onto which the building is to be moved a written notice of the requested moving permit, setting forth the legal description and address of the location of the property onto which the building is to be moved, along with the date, time, and place of such hearing at least ten days prior to the date of such hearing.

(D) *Affidavit of compliance.* The applicant shall be responsible for filing with the City Clerk on the date of the hearing an affidavit of hearing notice compliance. The affidavit shall verify that all notice requirements of this section have been complied with. The affidavit shall be submitted on a form approved by the City.

114.13 PERMIT INSURANCE.

A certificate of liability insurance in the amount of \$1,000,000 and listing the City of Columbus as an additional insured shall be filed by the Building Mover with the Building Official prior to a building moving permit being issued.

114.14 STANDARDS FOR ISSUANCE OF PERMIT.

No permit shall be issued for moving a building without giving consideration to the following circumstances and conditions:

- (A) The traffic hazards involved;
- (B) Whether the route over which such structure may be moved will cause exceptional hazard(s) to person or property;
- (C) The structural conditions of streets, alleys, and public property proposed to be used;
- (D) The condition and appearance of the building to be moved and any injurious effects upon the neighborhood to which it is to be moved;
- (E) Architectural similarity and dissimilarity with other existing buildings or structures in the neighborhood to which it is to be moved;
- (F) Whether the building to be moved is substandard to the buildings and structures in the neighborhood to which it is to be moved;
- (G) Whether the building, when completed, will be compatible with and will not depreciate the surrounding properties;
- (H) Impact on trees along the route of the move and whether significant trimming is needed to trees or shrubbery situated on City property or City right-of-way; and
- (I) Impact on the City, its businesses or residents concerning any interruption or interference with utilities and/or services.

114.15 DENIAL OF PERMIT.

No specific permit for the moving of a building shall be recommended for approval by the Planning Commission or approved by the City Council if any of the following conditions exist:

- (A) The application does not contain all information and accompanying documents required by § 114.08;
- (B) The move requires trimming of trees or shrubbery situated on private property for which written consent has not been obtained from all owners;
- (C) Applicable ordinances of the City would be violated by the building in its new location;
- (D) The moving equipment is unsafe and persons or property would be endangered by its use;
- (E) The building is too large to move without endangering persons or property;
- (F) The building is structurally unsafe or unfit for the purpose for which it is to be used;
- (G) There has not been compliance with the requirements for the fee, payments, bond, insurance, or other requirements of this chapter;
- (H) The building, regardless of size, is in such a state of deterioration or disrepair or is otherwise so structurally unsafe that it could not be moved without endangering persons or property;
- (I) It is proposed to move the building to a location on which a similar building would be in violation of the zoning ordinances and requirements of the City relating to such building (unless a variance has been granted by the appropriate board);
- (J) The building or structure to be moved is or has been infested with termites or other destructive insects which would endanger life or property by moving the building;
- (K) The building to be moved is in such condition or age that it has depreciated more than 50% of a similar new building; however, any building may be moved if it has been well maintained and is in an excellent state of preservation and meets the requirements of this chapter and is approved by the Building Official; or
- (L) For any other reason persons or property in the City would be endangered by the moving of the building.

114.16 BUILDING PERMIT.

No building shall be moved into or moved and relocated within the City without first having obtained a building permit for the placement of the building at the new location as required by Section 12-6 of the Zoning Chapter of the Land Development Ordinance for the City of Columbus. All building permits issued hereunder shall require compliance with the Building Code, Zoning Code, and all other applicable ordinances and laws.

114.17 CERTIFICATE OF OCCUPANCY.

It shall be unlawful for any person to use or occupy or permit the use or occupancy of any building which has been moved without having obtained a certificate of occupancy. All moved buildings shall be subject to and governed by Section 12-6 of the Zoning Chapter of the City of Columbus Land Development Ordinance.

114.18 SIZE OF BUILDING; LIMITATION.

No permit shall be issued to move any building if any part thereof has a loaded height in excess of 18 feet or if any part thereof, at its greatest width, including eaves or any other extension of the building, is wider than the narrowest street or road on the designated route. The street or road width shall be defined as its maintained surface. If the building height exceeds such measurements, a request to exceed the height limitations shall be submitted along with the application for a moving permit. The notices required under § 114.12 shall include the proposed request to exceed the height limitation and shall set forth the loaded height of the building to be moved. After public hearings before, the Planning Commission and City Council each such body shall take such action as set forth in § 114.08. The Planning Commission, Mayor and City Council shall take into consideration those factors set forth in § 114.14 and § 114.15.

114.19 INTERFERING WITH TREES.

If trees along the proposed route located on City property must be trimmed, this work shall be done under the supervision of a tree service insured and registered with the City as provided in § 96.11. It shall be unlawful for any person to cut or temporarily bend any limb or branch of any tree located on private property for the purpose of obtaining passageway for a building unless that person shall have first obtained the approval and consent, in writing, of the property owner(s). All cutting or temporary displacing in any manner of any tree, shrubbery or parts of trees shall be done by a tree service insured and registered with the City as provided in § 96.11. The expense created by trimming and pruning trees or shrubbery to provide a passageway for moving a building shall be the responsibility of the building mover or building owner.

114.20 CLEANING PREMISES.

It shall be unlawful for any building mover to move any building or structure in such a manner that there shall remain holes or depressions dangerous to life and limb, or to allow debris or rubbish to remain after the moving of a building or structure. When a building has been moved from a lot for the purpose of erecting thereon another building or structure, the Building Department may permit the owner of such property to maintain for a period not to exceed 15 days any remaining hole or depression; provided however, that such hole or depression is maintained in a safe and sanitary condition and kept free of all rubbish and debris of any nature. Such hole or depression shall be surrounded and protected by strong and suitable barricades or fencing not less than three and one-half feet in height and maintained in a sound and proper condition. The property owner shall properly fill such holes and depressions at the termination of such 15 day period and periodically thereafter to correct any settling and shall maintain the same at ground level unless building operations have commenced thereon.

114.21 UTILITIES CAPPED.

The property owner shall have water and sewer properly disconnected and capped at the main by a licensed plumber within five days from the date that the building has been moved off the

property. All other utilities shall be property capped. The property owner shall contact the Public Works Department for inspection thereof.

114.22 TERMINATION OF MOVING PERMIT.

The applicant shall comply with all orders given the applicant by the Building Department, Public Works Department and Police Department relative to the manner in which a building is moved on any portion of any street or other public ground. The failure to comply with the lawful orders of the representative from either the Building Department, Public Works Department or Police Department, shall terminate the moving permit immediately.

114.23 EXPIRATION OF MOVING PERMIT.

When work for which a permit has been issued under the provisions of this chapter has not been started within 180 days or completed within 365 days from the date of issuance, the permit shall become null and void. No further work authorized by the permit shall be done until a new permit has been paid for and obtained.

114.24 DUTIES OF BUILDING MOVER.

Every building mover under this chapter shall:

- (A) Move a building only over streets, alleys or other public grounds designated for such use in the written permit;
- (B) Obtain any necessary permits from the Nebraska Department of Roads; (Neb. RS 60-6,299); as well as from any railroads affected by the move;
- (C) Notify the Building Official in writing of a desired change in moving date and hours as proposed in the application;
- (D) Notify the Building Official in writing of any and all damage done to any property within 24 hours after the damage or injury has occurred;
- (E) Remove the building from the City streets after sunset, unless an extension is granted by the Building Official and Chief of Police;
- (F) Pay any expense incurred by the City incidental to or as a result of the move, including but not limited to, the expense of any Traffic Officer(s) or Police escorts;
- (G) Pay the cost of removing or altering any wiring, cable or other utility service;
- (H) Properly plank, where needed, such portions of any street, alley or public ground over which any building or other structure is to be moved so as not to damage or injure the pavement, curbs, or sidewalks thereof;
- (I) Provide personnel to warn the public if and when any wires, ropes, or cables are extending across streets and alleys or public grounds so that the public will not be injured thereby; and
- (J) Exercise due care at all times to protect the public from injury or accidents.

114.25 NEWLY CONSTRUCTED BUILDINGS.

All newly constructed buildings which are partially assembled away from the site of erection and are moved to the site of erection are not considered to be moving buildings under the terms of this Code, provided that the assembled portions do not exceed 12 feet in width, 24 feet in length and 18 feet in loaded height. The route of travel in moving of partially constructed buildings to the site of erection must be approved by the Public Works Department.

Section 2. That Section 114.26 of Title XI, Chapter 114 is hereby repealed.

Section 3. That Section 114.27 is hereby transferred from Title XI, Chapter 114 to Title XV, Chapter 150 as a newly created section, Section 150.201, to-wit:

150.201 VACANT BUILDINGS.

(A) (1) The owner of any building that shall become vacant shall, within 30 days after the building becomes vacant or after the effective date of this section, whichever is later, file a registration statement for each such building with the Columbus Police Department on a form

provided by the Columbus Police Department for that purpose. The registration form shall remain valid for one year after the date of registration. The owner shall be required to renew the registration on an annual basis as long as the building remains vacant. The owner shall notify the Police Department within 30 days of any change in the registration information by filing an amended registration statement provided by the Columbus Police Department.

(2) In addition to other information required by the Chief of Police, the registration statement shall include the name, street address and telephone number of a person 21 years of age or older, designated by the owner or owners as an authorized agent. The authorized agent must maintain an office or residence in Platte County, Nebraska. The owner or owners who meet the requirements of this section as to the location of said office or residence may designate himself or herself as the authorized agent. By designating an authorized agent under the provisions of this section, the owner or owners are empowering the authorized agent to receive any and all notices of code violations, court proceedings or administrative proceedings concerning the registered vacant building by service of the notice or process on the authorized agent. Any owner or owners who have designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purpose of this section until the owner or owners notify the Chief of Police of any change or until the owner or owners file a new annual registration statement designating a different authorized agent. Any owner or owners who fail to register a vacant building or fail to designate an authorized agent under the provisions of this section shall further be deemed to consent to receive, by posting at the building, any and all code violations and all administrative proceedings brought to enforce the Columbus City Code concerning the vacant building.

(3) The Chief of Police may issue rules and regulations for the administration of this section. These rules may designate materials and methods that may be used when securing a building so the boarding is reasonably incapable of being removed by trespassers or other acts without the owner, owners or authorized agent's consent.

(4) (a) For purposes of this section, **VACANT** shall mean a building:

1. Lacking the habitual presence of human beings who have a legal right to be on the premises; or
2. Substantially all lawful business operations or residency occupancy have ceased and which is substantially devoid of content.

(b) In determining whether a building is vacant, it is relevant to consider, among other factors, the percentage of the overall square footage of the building or floors of occupied space, the condition and value of any items in the building or floors and the presence of rental or "for sale" signs on the property. A residential property shall not be deemed to be vacant if it has been used as a residence by the person entitled to possession of the same for a period of at least three months within the previous nine months and the person entitled to possession intends to resume residing at the property. A multi-family residential property shall not be deemed vacant unless all of the dwelling units are unoccupied.

(B) The owner, owners or authorized agent of any building, whether commercial or residential, that has become vacant shall enclose and secure the building within 30 days.

(C) Within 30 days, the owner, owners or authorized agent shall acquire and maintain liability insurance in an amount not less than \$100,000 for buildings designed primarily for residential use and not less than \$300,000 for any other building including, but not limited to, buildings designed for manufacturing, industrial, storage or commercial uses. Such insurance shall cover any damage to any person or any property caused by any physical condition of or in the property. The insurance policy acquired after the building has become vacant shall provide for written notice to the Chief of Police within 30 days of any lapse, cancellation or change in coverage. The owner, owners or authorized agent shall provide evidence of the insurance policy upon the request of the Chief of Police's designated representative.

(D) If, at any time after making an inspection of the property, the Chief of Police or the Chief of Police's designated representative determines a building is vacant and open, the Chief of Police shall notify the owner, owners or authorized agent that the building must be enclosed or substantial action must be taken to demolish the building within 30 days after the date of the

notice. If, at the expiration of the 30-day period, the Chief of Police determines the building has not been enclosed or that substantial action has not been taken to demolish the building, the City shall proceed under the nuisance sections of the Columbus City Code to have the building demolished by the City with the cost of said demolition to be paid for under the nuisance sections by the owner or owners.

(E) If any provisions of this section are held invalid, such provisions shall be deemed to be excised from this section and the invalidity thereof shall not affect any other provisions of this section.

Section 4. This ordinance shall repeal all other ordinances in conflict with the provisions of this ordinance.

Section 5. This ordinance shall take effect and be in full force and effect after its passage, adoption and publication as provided by law. Publication shall be in pamphlet form as authorized by Section 16-405 of Nebraska Revised Statutes with distribution to be made by making copies available to the public upon request at the city offices.

INTRODUCED BY COUNCIL MEMBER

[Signature]

PASSED AND ADOPTED THIS 16 DAY OF January, 2017.

[Signature]
MAYOR

ATTEST:

[Signature]
CITY CLERK

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY



CHECK LIST (TO BE COMPLETED ON THE DAY OF MOVE)

	APPROVED	DISAPPROVED
HEIGHT	☐	☐
WIDTH	☐	☐
ROUTE	☐	☐
UTILITIES	☐	☐
MOVING EQUIPMENT	☐	☐
BARRICADES & WARNING SIGNS	☐	☐
POLICE ESCORT	☐	☐
INSURANCE	☐	☐
TREE TRIMMER	☐	☐
HIGHWAY PERMITS	☐	☐
RAILROAD PERMITS	☐	☐
APPROVAL FOR MOVE	☐	☐

BUILDING INSPECTOR

DATE